Drug Industry's demand to review of Patents Ordinance

161. DR. AKHILESH DAS: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the drug industry had demanded a review and revision of the Patents Ordinance issued recently;

(b) if so, what were the main issues raised and specific demands made by the drug industry; and

(c) Government's response and reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI E.V.K.S. ELANGOVAN): (a) to (c) An Ordinance, namely, the Patents (Amendment) Ordinance, 2004, effective from January 01, 2005, was promulgated on December 26, 2004 to, *inter-alia,* comply with India's inernational obligations contained in the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) which were due from January 01, 2005. The salient features of the amendment are: introduction of product patent regime in all fields of technology; modification of exclusive marketing rights provisions, modification of opposition procedure, introduction of provision for export of medicines to countries which have insufficient or no manufacturing capacity; strengthening of national security provisions; provisions aimed at simplification and rationalisation of procedures; etc. Suggestions have been received from different organisations, including pharmaceutical industry, on the provisions of the patent law. These relate to patentability criteria, opposition procedures, compulsory licence and export to other countries. All views and concerns have been taken into account and will be further considered during discussions of the Bill in Parliament to replace the Ordinance.

Legislation for SEZs

162. SHRI RAJKUMAR DHOOT: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that Government proposes to introduce a legislation on Special Economic Zones (SEZs) in the current Parliament Session;

(b) if so, the details thereof and SEZs to be created in the State of Maharashtra;